

Brunswick Planning Commission
Minutes
December 22, 2003

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Council Liaison Walt Stull, Wayne Dougherty, and Ellis Burruss, Alternate

Mayor & Council Present: Councilman Castle

Staff Present: City P & Z Administrator Rick Stup and County Planning Liaison Carole Larsen

Chairman Gladstone called the meeting to order at 7:00 PM

Minutes

The minutes of the November 24 meeting were reviewed and approved with minor corrections to be made by Staff. (MOTION by Mr. Burruss and seconded by Mr. Dougherty, unanimously passed.)

Chairman

Mr. Gladstone requested all those in attendance who were going to speak on any of the cases, to rise and be sworn in. He administered the oath.

Mr. Stup presented the Commissioners with a Welcome to The Commission Manual prepared by the Planning Commissioners Journal for their use.

Mr. Stup informed the Commission that the Council approved the Master Plan update Concept in accordance with the Planning Commission and Staff Recommendation. Once the current Master Plan is posted on the City Web Site (www.brunswickmd.gov), Staff will begin the advertising for the re-approval process.

Old Business

ZONING – Site Plans – Public Improvement Plans

Lot 260 (East F Street): Request for approval of a waterline extension, located in F Street, west of Second Avenue. Zoning Classification: OS, BR-IP-03-02

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for this request to extend a 2'' water line to serve Lot 260. While there is a sanitary sewer connection shown on the plans as existing, no sanitary sewer tap has been allocated to the property. Therefore, it is subject to the current City policy of no available taps for new projects. However, with approval and the

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Staff Presentation and Recommendation Cont.

plan signed, it qualifies to be placed on the waiting list. While most agency comments are technical in nature, the applicant's response No.2 to the City Engineer's Comments is not acceptable. Under the direction of the Council, City DPW responds to the type of existing infrastructure and the City Engineer reviews technical engineering issues to include required size of the improvement and safety related water issues. In addition, while the plan is for water line extension only, the applicant response No. 3 is also not valid. F Street is open but not improved on the applicant's side of the road. Therefore, a standard city half section, at a minimum, is required to be created in order for the lot to be issued a Zoning Certificate. Public Improvement Plans and PWA Process are required for that improvement.

Because the plan does not reflect all of the required public improvements, and additional Street Improvement Plan was not submitted and major technical design issues have not been resolved, Staff recommends a continuance to the December Planning Commission meeting in order for the issues to be resolved and a TAC meeting held for the total required improvements. The Planning Commission concurred and continued the case until the December 2003 Meeting.

The Applicant requested the meeting in November to review the issues with the City Engineer, City Public Works and Staff. However, due to an illness the DPW Representative was not available for a meeting and just returned to work full time in December.

Since this delay was not the fault of the Applicant, Staff recommends continuance of the case until that meeting can be held and the applicant has provided the necessary plan revisions.

Mr. Stup answered questions with regard to the plan.

Applicant

Mr. Mike Sponseller, Applicant, presented the Applicant's case.

Public Comment

None.

Rebuttal

None.

Decision

Mr. Krigbaum made a motion to continue the request in accordance with Staff Recommendation; Mr. Dougherty seconded the motion.

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VOTE: Yea 5 Nay 0

715 East D Street: Request to extend a water line in Gum Springs Road, located in Gum Springs Road, north of Proposed D Street. Zoning Classification: OS, BR-IP-03-01

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for this request to extend a 2" water line to serve the subject property. It also indicates a proposed connection to the existing sanitary sewer line in Gum Springs Road. The City has not been processing new applications for sanitary sewer taps since the receipt and review of the 2003 MDE Flow Allocation for the City of Brunswick WWTP. However, with approval and the plan signed, it qualifies to be placed on the waiting list for new projects. While most agency comments are technical in nature, as with the last case, there are basic design issues that need to be resolved with regard to sizing and current City Development Improvement Policies. In addition, City DPW has questioned some of the information shown on the plan. Because of the location of the existing road and the current improvement status, road or curb improvements are not required for this single lot.

Because major issues with design has arisen, Staff recommended a continuance to the December Planning Commission meeting in order for the issues to be resolved and a TAC meeting held for the revised plan. The Planning Commission concurred and the case was continued until the December, 2003 Meeting.

Since this delay was not the fault of the Applicant, Staff recommends continuance of the case until that meeting can be held and the applicant has provided the necessary plan revisions.

Mr. Stup answered questions with regard to the plan.

Applicant

Mr. Mike Sponseller, applicant, presented the applicant's case.

Public Comment

None.

Rebuttal

None

Decision

Mr. Stull made a motion to continue the request in accordance with Staff Recommendation; Mr. Burruss seconded the motion.

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Vote: Yea 5 Nay 0

Subdivision – Phase III PUD Plan – Preliminary Plan

Galyn Manor: Request for approval of the Revised Preliminary Plan, located on the west side of MD Rte 464 at Galyn Drive. Zoning Classification: R-2 & OS (PUD), BR-PUD-01-PIII-P2-PP

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the Revised Preliminary Plan, which primarily dealt with the design changes, street elimination, panhandle/common access design, and sidewalk along the Biser Lot frontage of MD Rte.

Staff recommends approval of the revised Preliminary Plan with the following conditions:

1. All previous appropriate approval conditions remain in effect.
2. The note added to the Plan with regard to the Joint Use and Maintenance Agreement to be recorded and to be referenced in the Final Plat.
3. The Biser Lot issue to be resolved to Staff's satisfaction prior to the approval of any Construction Phase 2 Plats to include but not limited to providing sidewalk across the lot frontage.
4. Applicant is bound by their testimony.
5. Address Agency comments.

Mr. Stup answered questions with regard to the plans, the panhandle lots, and the sidewalk along the frontage of the Biser Lot.

Applicant

Mr. Paul Bogle, Rodgers Consulting, presented the applicant's case and answered questions.

Public Comment

None.

Rebuttal

None.

Decision

Mr. Burruss made a motion to approve the request in accordance with Staff Recommendation; Mr. Dougherty seconded the motion.

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VOTE: Yea 5 Nay 0

By-Laws and Procedures

Discussion of Staff draft revisions of the By-Laws and Procedures of the Brunswick Planning Commission Brunswick, Maryland originally adopted March, 1983 under the authority of Mayor and Council Resolution dated January 8, 1973, and amended April, 1998

Staff Presentation and Recommendation

Mr. Stup presented the Staff draft revisions to the current By-Laws and discussed some optional changes from the current By-Laws. He stated that the Commission Comments from the November Meeting had been addressed.

Staff recommended approval of the revised By-Laws and procedures.

Mr. Stup answered Commission questions.

Public Comment

None

Decision

Mr. Burruss made a motion to approve the revised By-Laws and Procedures in accordance with Staff's Recommendation; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

New Business

Galyn Manor, LPG Tank Farm: Request for approval revised Site Plan for LPG Tank Farm, located at Galyn Drive west of MD Rte 464. Zoning Classification: R-2 & OS (PUD), BR-PUD-01-SP-TF

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the construction of LPG Tank Farm.

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Staff Presentation and Recommendation Cont.

While there are several issues that need to be addressed, there is urgency for the establishment of the permanent facility. Therefore, Staff recommends approval subject to the following conditions:

1. Submit and obtain approval of revised FRO Plans for Phase 1 and the necessary revised FRO Easement for recordation.
2. Provide screening acceptable to Staff for the subject site.
3. Provide an access easement and note the recordation on the plan.
4. Provide restrictions for frequency and times of delivery acceptable to Staff and note it on the plan.
5. Applicant is bound by their testimony.

Mr. Stup answered questions with regard to the plan, Staff Recommendation and the Facility Site Plan.

Applicant

Mr. Gary Nouse, Thompson Gas, presented the applicant's case and answered Commission questions. The questions included fence/screening, access, deliveries, and type of tank/installation.

Public Comment

None.

Rebuttal

None.

Decision

Mr. Dougherty made a motion to approve the plan in accordance with Staff Recommendation; Mr. Stull seconded the motion.

VOTE: Yea 5 Nay 0

Subdivision – Addition Plat

Conner Estates, Lot 288 Addition to Lot 289: Request for approval to add Lot 288 to Lot 289, located on the north side of J Street, west of Maple Avenue. Zoning Classification: R-1, BR-AP-03-01

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Staff presentation and Recommendation

Mr. Stup presented the Staff Report for the Addition Plat. He stated that the following items were outstanding and needed to be addressed:

1. The Water and Sewer Note must be revised to state; "This lot is to be served by City of Brunswick Water and Sewer when capacity is available."
2. The Chair Signature area for the Clerk of the Court Note must be deleted.
3. The location and size of the existing water line and any fire hydrants within 100' of the property must be shown.

These items were minor of nature and Staff recommends approval of the Addition Plat with the following conditions:

1. The Water and Sewer Note must be revised to state; "This lot is to be served by City of Brunswick Water and Sewer when capacity is available."
2. The Chair Signature area for the Clerk of the court Note must be deleted.
The location and size of the existing water line and any fire hydrants within 100' of the property must be shown
3. Address Agency Comments.
4. Access to be addressed as part of the Entrance Permit Application.
5. Approval does not guarantee the allocation or availability of Water and Sanitary Sewer Taps.
6. Applicant is bound by their testimony.

Mr. Stup answered questions with regard to the plat.

Applicant

Ms. Jennifer Wenner, developer, presented the applicant's case and answered Commission questions.

She also asked for information about future allocation of sanitary sewer taps, which Mr. Stup responded.

Public Comment

None.

Rebuttal

None.

Decision

Mr. Krigbaum made a motion to approve the request in accordance with Staff Recommendation; Mr. Dougherty seconded the motion.

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VOTE: YEA 5 NAY 0

Public Comment
None.

Adjournment
The meeting was adjourned at 8:10 PM.

Respectfully submitted,

Edward Gladstone, Chair
Brunswick Planning Commission